MESSAGE OF THE DIWAN TO THE PRESIDENT.

Secretary to the Council:—

Sir,

THE COCHIN ABKARI REGULATION AMENDMENT BILL—
REFERRING BACK OF.

The Bill to amend the Cochin Abkari Regulation I of 1077 which was passed by the Legislative Council at its meeting on Thursday the 19th December 1929 contains the following defects:—

(i) the definition of 'intoxicating drug" in section 3 (14) does not include synthetic preparations of cocaine (whereas the definition of 'cocaine' in Cocaine Rule 2 (c) does include synthetic products).

This has not been incorporated in the amendment proposed to be introduced as section 2 in the Bill. Instead the word 'cocoa' has been added in the body of the section after the Word 'Bhang'. This was not correct. Therefore, for the existing section 2 in Bill, the following should be substituted:—

Amendment of Section 3.

2. At the end of section 3 clause (14) of the Cochin Regulation, 1 of 1077 (hereinafter referred to as the 'said Regulation'), the following proviso shall be added:—

"Provided that (a) all drugs synthetic or otherwise having a like physiological effect to that of cocaine and preparations and admixtures of the same are included in the term 'Intoxicating drug' and (b) the Diwan may, by notification, in the State Gazette, declare that any other intoxicating substance together with every preparation and admixture of the same shall be deemed to be an intoxicating drug for the purposes of this Regulation".

Further it is desirable from the point of view of the International Opium Convention that both cultivation and collection of the cocoa plant should be absolutely prohibited. But the bill as passed by the Council prohibits only the cultivation of the cocoa plant. The sub-section (2) proposed to section 12 of the Regulation 1 of 1077 in section 3 of the bill has therefore to be modified as follows.—

"(2) The Cultivation and the collection of the hemp and the cocoa plant are absolutely prohibited".

(ii) In some of the editions of Regulation I of 1077, the word 'be' does not occur in the 3rd line of section 39 as stated in section 5 of the bill. Section 5 of the Bill has therefore to be recast as follows:—

Amendment of Section 39.

"5. In section 39 of the said Regulation, after the words 'shall be' the words 'any cultivation of the hemp or cocoa plant or' shall be inserted".

(iii) Under Section 14-A of the Legislative Council Regulation, I have the honour to return the Bill for reconsideration by the Legislative Council in the light of the foregoing facts".

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